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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/664,383	09/18/2000	Tomohiro Gomi	35.C14803	4743

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EXAMINER

PHAM, THIERRY L

ART UNIT	PAPER NUMBER
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2624

DATE MAILED: 07/22/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 09/664,383	<b>Applicant(s)</b> GOMI, TOMOHIRO	
	<b>Examiner</b> Thierry L. Pham	<b>Art Unit</b> 2624	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 5/6/05.
- 2a) ☐ This action is FINAL.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) See Continuation Sheet is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,3,4,6-11,13-15,17,18,20-25,27-29,31,32,34-39,41-43,45,46,48-53,55 and 56 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

Continuation of Disposition of Claims: Claims pending in the application are 1,3,4,6-11,13-15,17,18,20-25,27-29,31,32,34-39,41-43,45,46,48-53,55 and 56.

### DETAILED ACTION

- This action is responsive to the following communication: RCE filed on 5/6/05.
- Claims 2, 5, 12, 16, 19, 26, 30, 33, 40, 44, 47, and 54 have been canceled.
- Claims 1, 3-4, 6, 7-11, 13-15, 17-18, 20-25, 27-29, 31-32, 34-39, 41-43, 45-46, 48-53, 55-56 are pending in application.
- Responsive to 112, 1<sup>st</sup> paragraph rejection has been considered and persuasive; therefore, the 112, 1<sup>st</sup> paragraph rejection has been withdrawn.

### Claim Rejections - 35 USC § 101

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 29, 31-32, 34-39, 41-42 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

The claimed invention is a computer related invention. The Computer-Implemented Invention Guidelines issued by the U.S. Patent and Trademark Office describe the procedures for examining such inventions.

The first step is to determine whether the invention as defined by the claims falls within one of the three following categories of unpatentable subject matter: (1) Functional descriptive material such as a data structure *per se* or a computer program *per se*, (2) Non-functional descriptive material such as music, literary works or pure data, embodied on a computer readable medium; or (3) A natural phenomenon such as energy or magnetism. The invention as defined by the claims is not a natural phenomenon or pure data, however, it is a computer program *per se*, which does not mount/store on any computer-readable medium; therefore, these claims are rejected for non-statutory basis.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 3-4, 6, 15, 17-18, 20, 29, 31-32, 34, 43, 45-46, 48 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gauronski et al (U.S. 5206735), and in view of Davidson et al (U.S. 6025925).

Regarding claim 1, Gauronski discloses an information processing apparatus (scanner/controller, fig. 2) which can communicate with a printer (printer, fig. 2), comprising:

- a generation unit, adapted (scanner, fig. 2) for generating a print job (image files/print jobs, col. 3, lines 55-67 and col. 5, lines 18-50) to be processed by said printer, based on application data;
- an instruction unit, adapted (interrupt instructions for job interrupts, col. 6, lines 18-55 and col. 7, lines 4-22) for instructing any of the print jobs generated by said generation unit to be interrupt printed by the printer;
- a detection unit, adapted (controller, fig. 2) for receiving job information from the printer indicating that interrupt printing of the print job instructed by said instruction unit has failed (the interrupt job cannot be performed because parameters of interrupt print job are not available at the printer, col. 7, lines 29-36);
- notification means (display messages via user interface/display unit, figs. 1 & 5B, col. 7, lines 29-38) for causing the user that the instructed print job not been interrupt printed (a message indicates the interrupt jobs cannot be performed because parameters of interrupt print job are not available at the printer, col. 7, lines 29-36).

However, Gauronski fails to explicitly disclose an information processing apparatus including a detection unit for detecting job status information indicating an owner of the print job sent from the printer, and for determining/detecting whether the owner of the print job is identical to a user of said information processing apparatus.

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Davidson, in the same field of endeavor for printing, teaches an information processing apparatus (host computers, fig. 1) including a detection unit (a detection unit for detecting and receiving job account information sent from printer 10, fig. 1, col. 2, lines 48-60 and col. 3, lines 59-62 and col. 16, lines 30-40) for detecting job status information indicating an owner of the print job (job status information includes user's id, col. 2, line 55-60 and to determine which host computers are armed to receive Job Accounting Alert Data, col. 5, lines 33-36) sent from the printer, and for determining/detecting (decision unit, col. 12, lines 28-30) whether the owner of the print job is identical to a user of said information processing apparatus (job status information further includes host id, col. 2, lines 50-60, and also see table 2, col. 15). Since print job status information includes user id (job ownership) and host id address, therefore, it would be obvious to compare these data to a computer that is current being sent to, for example, by comparing its host id and user ids that have been logged on.

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify print system of Gauronski to include a detection unit for determining whether the owner of the print job is identical to a user of said information processing apparatus by comparing a user id and host computer id sent from printer as a job status information as per teachings of Davidson because of a following reason: (●) to distinguish a print job from a plurality of print jobs by viewing user's name and/or document's name; (●) to display print job status information only to authorized users.

Therefore, it would have been obvious to combine Gauronski with Davidson to obtain the invention as specified in claim 1.

Regarding claim 3, Gauronski further discloses an apparatus according to claim 2, wherein said notification unit causes said display unit to display an icon (col. 4, lines 5-16 and col. 7, lines 29-38) indicating that said print job has not been interrupt printed.

Regarding claim 4, Gauronski further discloses an apparatus according to claim 1, wherein said detection unit receives from said printer some information (a message indicates interrupt job is prohibited because lack of available parameters at the printer, col. 7, lines 29-38)

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indicating that said print job instructed by said instruction means to be interrupt printed has not been interrupt printed.

Regarding claim 6, Gauronski further discloses an apparatus according to claim 1, wherein said notification means notifies the user that said print job has not been interrupt printed but has been normally printed (interrupt job resumes, col. 6, lines 18-27 and col. 7, lines 4-60).

Regarding claims 15, 17-18, 20: Claims 15, 17-18, 20 are the method claims corresponding to the apparatus claims 1, 3-4, 6 (respectively). The methods are inherent and included by the operation of the apparatus. Please see claims rejection basis/rationale as described in claims 1, 3-4, 6 above.

Regarding claims 29, 31-32, 34: Claims 29, 31-32, 34 correspond to claims 1, 3-4, 6 except computer readable memory medium for storing program is claimed rather than printing system or data output apparatus. All computers have some type of computer readable memory medium (RAM, fig. 5B) for storing computer programs, hence claims 29, 31-32, 34 would be rejected using the same rationale as in claims 1, 3-4, 6.

Regarding claims 43, 45-46, 48: Claims 43, 45-46, 48 correspond to claims 1, 3-4, 6 except computer readable memory medium for storing program is claimed rather than printing system or data output apparatus. All computers have some type of computer readable memory medium (RAM, fig. 5B) for storing computer programs, hence claims 43, 45-46, 48 would be rejected using the same rationale as in claims 1, 3-4, 6.

Claims 7, 9-14, 21, 23-28, 35, 37-42, 49, and 51-56 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yoshida et al (U.S. 6130757) and in view of Davidson et al (U.S. 6025925).

Regarding claim 7, Yoshida discloses a print controller (server apparatus/managing unit, col. 3, lines 1-17 and Abstract) which can process print jobs from a plurality of information processors (clients connecting via LAN network, col. 4, lines 17-30), comprising:

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- an interrupt unit, adapted (print jobs with higher priority, abstract, col. 3, lines 1-17 and col. 18, lines 6-47) for suspending print operation for a print job and executing an interrupt print of another print job according to an instruction for interrupt print;
- a determination unit, adapted (CPU 103 of server apparatus, col. 18, lines 6-47) for determining whether a print job for the interrupt printing is currently present;
- a decision unit, adapted (CPU 103 of server apparatus, col. 18, lines 15-47) for, in response to reception of an interrupt-instructed print job from one of the plurality of information processing apparatuses, deciding (CPU 103 decides the priority of print job received from the clients, cols. 17-18) whether a received print job is interrupt printed (CPU 103 determines whether the interrupt job is printed or not, col. 18, lines 7-27), based on the determination result from said determination unit.
- a transferring unit, adapted for transferring (communication lines 7, fig. 1), to the one information processor, information indicating that the interrupt printing of the received print job has failed (processes and prints the current job if the interrupt job is not possible, col. 18, lines 13-20), wherein the one information processor (clients connecting via LAN network, col. 4, lines 17-30), causes a display unit to display that the print job has not been interrupt printed.

However, Yoshida fails to explicitly disclose a printer controller including a detection unit for detecting job status information indicating an owner of the print job sent from the printer, and for determining/detecting whether the owner of the print job is identical to a user of said information processing apparatus.

Davidson, in the same field of endeavor for printing, teaches an information processing apparatus (host computers, fig. 1) including a detection unit (a detection unit for detecting and receiving job account information sent from printer 10, fig. 1, col. 2, lines 48-60 and col. 3, lines 59-62 and col. 16, lines 30-40) for detecting job status information indicating an owner of the print job (job status information includes user's id, col. 2, line 55-60 and to determine which host computers are armed to receive Job Accounting Alert Data, col. 5, lines 33-36) sent from the printer, and for determining/detecting (decision unit, col. 12, lines 28-30) whether the owner of the print job is identical to a user of said information processing apparatus (job status information further includes host id, col. 2, lines 50-60, and also see table 2, col. 15). Since print job status information includes user id (job ownership) and host id address, therefore, it would



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been obvious to compare these data to a computer that is current being sent to, for example, by comparing its host id and user ids that have been logged on.

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify print system of Gauronski to include a detection unit for determining whether the owner of the print job is identical to a user of said information processing apparatus by comparing a user id and host computer id sent from printer as a job status information as per teachings of Davidson because of a following reason: (●) to distinguish a print job from a plurality of print jobs by viewing user's name and/or document's name; (●) to display print job status information only to authorized users.

Therefore, it would have been obvious to combine Gauronski with Davidson to obtain the invention as specified in claim 7.

Regarding claim 9, Yoshida further discloses a printer controller according to claim 7, wherein execution of multiple interrupts (multiple interrupts, figs. 10-11, col. 19, lines 34-39) means that an interrupt print is further executed while a previous interrupt print is being executed by said interrupt unit (interrupt prints with highest priority are being printed first, col. 18, lines 7-47).

Regarding claim 10, Yoshida further discloses a printer controller according to claim 7, wherein said print controller is a print controller for a printer (copy machines with printing function are connecting with server apparatus via LAN network, fig. 1, col. 4, lines 16-51 and col. 18, lines 8-47).

Regarding claim 11, Yoshida further discloses a printer controller according to claim 7, wherein said print controller is a print controller for a device having a copy function (copy machine connects with server apparatus via LAN network, fig. 1, col. 4, lines 16-51 and col. 18, lines 8-47).

Regarding claim 13, Yoshida further discloses a printer controller according to claim 7, wherein a received print job is processed in normal order if it is decided that said received print

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job is not interrupt printed (continues to process and print the current job if the interrupt job is not possible, col. 18, lines 13-20).

Regarding claim 14, Yoshida further discloses the controller according to claim 13, further comprising transfer unit adapted for transferring to an information processing apparatus some information (printing statuses, figs. 10-11, col. 11, lines 10-46) indicating that a received print job is processed in normal order (processes and prints the current job if the interrupt job is not possible, col. 18, lines 13-20) if it is decided that said received print job is not interrupt printed.

Regarding claims 21, 23-25, 27-28: Claims 21, 23-25, 27-28 are the method claims corresponding to the apparatus claims 7, 9-11, 13-14 (respectively). The methods are inherent and included by the operation of the apparatus. Please see claims rejection basis/rationale as described in claims 7, 9-11, 13-14 above.

Regarding claims 35, 37-39, 41-42: Claims 35, 37-39, 41-42 correspond to claims 7, 9-11, 13-14 (respectively) except computer readable memory medium for storing program is claimed rather than printing system or data output apparatus. All computers have some type of computer readable memory medium (RAM, fig. 4) for storing computer programs, hence claims 35, 37-39, 41-42 would be rejected using the same rationale as in claims 7, 9-11, 13-14.

Regarding claims 49, and 51-53, 55-56: Claims 49, and 51-53, 55-56 correspond to claims 7, 9-11, 13-14 (respectively) except computer readable memory medium for storing program is claimed rather than printing system or data output apparatus. All computers have some type of computer readable memory medium (RAM, fig. 4) for storing computer programs, hence claims 49, and 51-56 would be rejected using the same rationale as in claims 7, 9-11, 13-14.

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Claims 8, 22, 36, and 50 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yoshida and Davidson as described in claims 7, 21, 35, and/or 49 above, and further in view of Gauronski (U.S. 5206735).

Regarding claim 8, Yoshida and Ban do not explicitly disclose a controller further comprising prohibition means for prohibiting multiple interrupts, wherein said decision means decides that a received print job is not interrupted print if multiple interrupts are prohibited by said prohibition means.

Gauronski, in the same field of endeavor for interrupt prints, teaches a controller further comprising prohibition means for prohibiting multiple interrupts (multiple interrupts are prohibited/restricted, col. 7, lines 38-60), wherein said decision means decides that a received print job is not interrupted print (the next interrupt print job is restricted such that it will be placed in print queue immediately after the previously programmed interrupt job, col. 7, lines 38-67) if multiple interrupts are prohibited by said prohibition means.

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify Yoshida and Davidson as per teachings of Gauronski because of a following reason: (●) allowing the first interrupt job to be completed before printing the next interrupt job; therefore, improving operating efficiency of the interrupt printing system.

Therefore, it would have been obvious to combine Yoshida and Davidson with Gauronski to obtain the invention as specified in claim 8.

Regarding claim 22: Claim 22 is the method claim corresponding to the apparatus claim 8. The methods are inherent and included by the operation of the apparatus. Please see claims rejection basis/rationale as described in claim 8 above.

Regarding claims 36 and 50: Both claims 36 and 50 correspond to claim 8 except computer readable memory medium for storing program is claimed rather than printing system or data output apparatus. All computers have some type of computer readable memory medium (Yoshida, RAM, fig. 4) for storing computer programs, hence claims 36 and 50 would be rejected using the same rationale as in claim 8.

***Response to Arguments***

Applicant's arguments with respect to claims 1 & 7 have been considered but are moot in view of the new ground(s) of rejection.

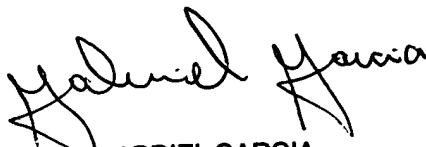
***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thierry L. Pham whose telephone number is (571) 272-7439. The examiner can normally be reached on M-F (9:30 AM - 6:00 PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David K. Moore can be reached on (571)272-7437. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Thierry L. Pham



GABRIEL GARCIA  
PRIMARY EXAMINER